

## REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	16 December 1999
Name of applicant/court:	The District Court at Christchurch
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	chico06.jpg
Other Known Titles:	DIA Exhibit #15
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Applicable
Author:	Not Applicable
Format:	Computer Image File
Country of Origin:	Not Applicable
Language:	Not Applicable

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**Components of film originally examined:** Not Applicable.

Feature:	Running time:
Trailers:	Running time:
	Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Unrestricted.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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**SUMMARY OF THE REASONS FOR DECISION:**

The publication *chico06.jpg* is classified as:  
Unrestricted.

The computer image file contains a colour photograph of a naked boy aged between 11 and 13 years. He is standing and holding a pink volleyball in his right hand. There is green foliage in the background. His genitals are clearly visible. However the pose is natural, with the focus upon the boy as a whole as opposed to his sexual characteristics. The photograph has a naturist feel to it given the combination of nudity and ordinary social activity, such as volleyball. The computer image file's intended audience and use is ambiguous. The most evident purpose is that of a photographic record of the subject.

Section 14 of the New Zealand Bill of Rights Act 1990 (NZBR Act), which deals with the right to freedom of expression, applies to this publication. Given the ambiguity as to the audience and purpose of the photograph, its availability is unlikely to be injurious to the public good. In view of the NZBR Act, the Classification Office classifies *chico06.jpg* as unrestricted.

OFLC Ref: 9901774